

ARTICLE IX. PARKING AND LOADING REQUIREMENTS

Sec. 9.100. ON-SITE PARKING.

Sec. 9.101. Purpose and scope.

The purpose of preparing and adopting the parking regulations within this ordinance is to implement the goals of the City of Scottsdale as they are set forth by the city's General Plan and further refined here. A major goal of the General Plan and these regulations is to provide adequate parking within the community without sacrificing urban design which enhances the aesthetic environment, encourages a reliance upon modes of transportation other than the private automobile and provides a generally pleasant environment within the community. Specifically, several purposes are identified herein which the city has adopted to achieve the above stated goal.

The adopted purposes of the parking ordinances of the City of Scottsdale are to:

1. Provide parking facilities which serve the goal of a comprehensive circulation system throughout the community and particularly within the downtown;
2. Provide parking, city-wide and particularly within the downtown, which will improve pedestrian circulation, reduce traffic congestion, and improve the character and functionality of all developments;
3. Promote the free flow of traffic in the streets;
4. Encourage the use of bicycles and other alternative transportation modes;
5. Design and situate parking facilities so as to ensure their usefulness;
6. Provide an adequate number of on-site bicycle parking facilities, each with a level of security, convenience, safety, access, and durability as needed for individual land uses;
7. Provide for adequate parking at transfer centers and selected transit stops in order to encourage the use of mass transit;
8. Ensure the appropriate development of parking areas throughout the city;
9. Mitigate potential adverse impacts upon land uses adjacent to parking facilities.

(Ord. No. 2736, § 1, 3-7-95)

Editor's note: Ord. No. 2736, § 1, adopted Mar. 7, 1995, did not specifically repeal §§ 9.100--9.104, which pertained to off-street parking; hence, §§ 9.100--9.108 adopted in said ordinance have been treated as superseding former §§ 9.100--9.104.

Sec. 9.102. Applications of and exemptions from parking.

- A. *Additions and change of occupancy.* The standards for providing on-site parking shall apply at the time of the erection of any main building or when on-site parking is established. These standards shall also be complied with when an existing building is altered or enlarged by the addition of dwelling units or guest rooms or where the use is intensified by a change of occupancy or by the addition of floor area, seating capacity, or seats.
- B. *Required parking must be maintained.* Required on-site parking spaces shall be maintained so long as the main building or use remains.
- C. *Nonconforming parking.* Where automobile parking space is provided and maintained in

connection with a main building or use at the time this ordinance became effective and is insufficient to meet the requirements for the use with which it is associated, or where no such parking has been provided, then said building or structure may be enlarged or extended only if automobile parking spaces are provided for said enlargement, extension or addition, to the standards set forth in the district regulations. No existing parking may be counted as meeting this requirement unless it exceeds the requirements for the original building and then only that excess portion may be counted.

Any commercial property which provides sufficient parking spaces to supply at least fifty (50) percent of the requirement for the property and which is destroyed by fire, hurricane, flood, or other act of God, may be restored to its original use and building outline, provided the floor area is not increased, without conforming to the parking requirements of this ordinance.

D. *Building permits.* Building permit applicants shall present to the City Manager or designee satisfactory evidence that the applicant owns or has otherwise available adequate space to provide parking to serve the intended use as required by this article or that the applicant has paid an in-lieu fee as provided by Section 9.108.C.2. or through improvement district (ID) credits. Off-street parking required by this ordinance shall not be located within the right-of-way of a street or alley.

E. *Counting flexible units.* Whenever a residential building is designed so that it can be used for separate apartments or guest rooms under the City of Scottsdale Building Code, the automobile parking requirements shall be based upon the highest possible number of dwelling units or guest rooms obtainable from any such arrangement.

F. *Application to multiple tenant developments.* Where there is a combination of uses on a lot, the minimum required number of on-site parking spaces shall be the sum of the requirements of the individual uses, unless otherwise provided per Section 9.104.E. and F. If, in the opinion of the superintendent of building, the uses would not be operated simultaneously, the number of automobile parking spaces shall be determined by the use with the highest parking demand.

G. *Free parking in the downtown area.* Required parking for retail and entertainment uses and mixed-use developments within the downtown area, as established by the downtown plan and identified by figure 9.1 herein, shall be provided at no cost to the user. Mixed-use facilities are defined in article III, definitions.

add Figure 9.1

H. *Prohibited uses of parking areas.*

1. Parking of more than five (5) vehicles on any unimproved lot is prohibited, except when used for special events parking pursuant to Section 7.900. An improved lot shall mean one (1) that fulfills the requirements of Section 9.103.
2. Parking or display of vehicles other than in designated and improved areas shall be prohibited.
3. Required parking spaces shall not be used for product display or advertising.

(Ord. No. 2736, § 1, 3-7-95)

Sec. 9.103. Parking requirements.

A. *General requirement.* Except as provided elsewhere in this ordinance, each principal and accessory use of land shall be provided with the number of on-site parking spaces indicated for that use in table 9.2.

B. *Required bicycle parking.* Every principal and accessory use of land which is required to provide at least forty (40) vehicular parking spaces shall be required to provide bicycle parking spaces at a rate of one (1) bicycle parking space per every ten (10) required vehicular parking spaces. Those professional office, business, and retail uses outside of the downtown (D)

districts which primarily serve the surrounding neighborhood or provide basic convenience goods and services, but are required to provide less than forty (40) vehicular parking spaces, shall provide a minimum of four (4) bicycle parking spaces. All other uses required to provide less than forty (40) vehicular parking spaces may also provide bicycle parking which may be used to reduce vehicular parking requirements pursuant to Section 9.104.C., *Credit for bicycle parking facilities*. In no event shall any use be required to provide more than one hundred (100) bicycle parking spaces.

For uses in the downtown (D) districts required to provide less than forty (40) vehicular parking spaces, bicycle parking spaces may be provided by the City within larger common public rights-of-way, and conveniently and aesthetically located.

Required bicycle parking facilities shall, at a minimum, provide a stationary object to which the operator can lock the bicycle frame and both wheels with a user provided U-shaped lock or cable and lock. Bicycle lockers and other high security bicycle parking facilities, if provided, may be granted parking credits pursuant to 9.104.C, credit for bicycle parking facilities.

C. *Calculating required parking for bar and restaurant combinations.* For bars and nightclubs which serve food and for restaurants which include a bar, required parking shall be calculated according to table 9.1 below.

Table 9.1. Calculating Parking for Bars and Restaurant Combinations

TABLE INSET:

Percentage of Gross Floor Area Devoted to Kitchen	Percentage of Public Floor Area Calculated as Restaurant	Percentage of Public Floor Area Calculated as Bar
40% or more	100%	0%
30--39%	75%	25%
20--29%	50%	50%
5--19%	25%	75%
Less than 5%	0%	100%

D. *Calculating required parking for transportation facilities.* Required parking for park and ride lots and major transfer centers shall be determined by the City Manager or designee. Subject to section 3.3, transit, of the design standards and policies manual and the following criteria:

1. Goals of the city with regard to transit ridership along the route on which the transportation facility is located.
2. Distance from other transportation facilities with parking.

E. *Fractions shall be rounded.* When any calculation results in a fraction of a parking space, any fraction shall be rounded up to the next greater whole number.

F. *Interpreting requirements for analogous uses.* The City Manager or designee shall determine the number of spaces required for analogous uses. In making this determination, the City Manager or designee shall consider the following:

1. The number of parking spaces required for a use listed in table 9.2 that is similar to the proposed use;
2. An appropriate variable by which to calculate parking for the proposed use; for example, square footage or number of employees;

3. Parking data from the same use on a different site or from a similar use on a similar site;
4. Parking data from professional publications such as those published by the institute of transportation engineers (ITE) or the urban land institute (ULI).

Alternatively, an applicant may elect to have requirements for unlisted uses approved by public hearing before the City Council.

G. *Additional requirements for company vehicles.* When parking spaces are used for the storage of vehicles or equipment used for delivery, service and repair, or other such use, such parking spaces shall be provided in addition to those otherwise required by this ordinance. At the time a building permit is issued, each developer shall indicate clearly on the plans, or in an accompanying letter, the number of spaces to be used for vehicle storage. Unless additional spaces are provided in excess of the required number of spaces, no vehicles in addition to that number shall be stored on the site.

H. *Special events parking.* Parking for special events shall be provided as per Section 7.900.

Table 9.2. Schedule of Parking Requirements

TABLE INSET:

Residential Uses	Parking Spaces Required
Boardinghouses, lodging houses, fraternity and sorority houses and other such uses	One (1) parking space for each one (1) guest room or dwelling unit.
Dwellings, multi-family	
In planned neighborhood center or planned community center	Two (2) spaces per unit.
In planned convenience center	Two (2) spaces per unit, both of which shall be covered.
In downtown area	One and one-half (1.5) spaces per unit. In a mixed-use project, residential parking may be reduced to one (1) space per unit if more than four (4) nonresidential spaces are available.
In other districts	Parking spaces per dwelling unit Efficiency units 1.25 One-bedroom 1.3 Two-bedrooms 1.7 Three (3) or more bedrooms 1.9
Dwellings, single-and two-family and townhouses	Two (2) spaces per unit.
Guest houses with cooking facilities	One (1) parking space in addition to the parking required for the single-family dwelling.
Hotels, motels, and resorts	One (1) parking space for each one (1) guest room or dwelling unit.
	A. One (1) parking space for every sixty (60) square feet of usable public floor

Resort hotels, auxiliary commercial uses	area of restaurants, dining rooms, bars and dancing areas and places where the public is served, with an additional twenty (20) percent for employee parking.
	B. One (1) parking space for every four hundred (400) square feet of usable floor area, for commercial accessory uses.
	C. For places of public assembly, one (1) space for every five (5) seats, if seats are fixed or one (1) space for fifty (50) square feet of general assembly area.
Mobile home parks	Three (3) parking spaces for every two (2) mobile home spaces, either in or within one hundred (100) feet of the mobile home space.
Ranches	One (1) space per every two (2) horse stalls.
Institutional uses	Parking Spaces Required
Hospitals	One (1) parking space for each one (1) bed.
Medical/dental offices and clinics	One (1) space per two hundred fifty (250) square feet of gross floor area.
Post offices on private property	One (1) parking space for each two hundred (200) square feet of floor area.
Places of worship	A. With fixed seating. One (1) space per four (4) seats in main sanctuary or auditorium plus one (1) space per each three hundred (300) square feet of classrooms and other meeting areas.
	B. Without fixed seating. One (1) space for each thirty (30) square feet of floor area in main sanctuary plus one (1) space per each three hundred (300) square feet of classrooms and other meeting areas.
Residential health care facilities	A. Specialized care facilities--five-tenths (0.5) of one parking space for each bed.
	B. Minimal care facilities--seven-tenths (0.7) of one parking space for each dwelling unit.
Commercial/Retail Service Uses	Parking Spaces Required
Automobile dealers, new and used	A. One (1) employee parking space per each two hundred (200) square feet of indoor floor area, and
	B. One (1) employee parking space per each twenty (20) outdoor vehicle display spaces, and
	C. One (1) customer parking space per each twenty (20) outdoor vehicle display spaces.
	Parking plans submitted for automobile dealers shall illustrate the parking spaces allocated for each of A, B, and C, above.

Automotive service stations	Three (3) spaces per service bay and one (1) space per two hundred fifty (250) square feet of accessory retail sales area.
Banks/financial/civic offices	One (1) space per two hundred fifty (250) square feet gross floor area.
Bar, lounge, tavern or nightclub	One (1) space per thirty-five (35) square feet of indoor public floor area, plus one (1) space per two hundred (200) square feet of outdoor public floor area, excluding the first two hundred (200) square feet of outdoor public floor area.
Bars with restaurants	See "restaurants with bars."
Car wash, automated	Four (4) spaces per bay or stall plus one (1) space per employee plus ten (10) stacking spaces.
Dry cleaners	One (1) space per two hundred fifty (250) square feet gross floor area.
Freestanding stores and neighborhood centers (up to two hundred thousand (200,000) square feet)	
In planned neighborhood center, planned community center, or planned regional center	One (1) space per two hundred fifty (250) square feet gross floor area.
In planned convenience center, with arterial street frontage	One (1) space per two hundred fifty (250) square feet gross floor area.
In planned convenience center, without arterial street frontage	One (1) space per three hundred (300) square feet gross floor area.
In downtown (D) districts	One (1) space per two hundred fifty (250) square feet gross floor area.
In other districts	One (1) space per two hundred fifty (250) square feet gross floor area.
Funeral homes	One (1) parking space for every two (2) persons for which permanent seating is provided in the main auditorium and one (1) parking space for every thirty (30) square feet of public assembly area.
Furniture and appliance stores	A. Up to fifteen thousand (15,000) square feet. One (1) space per five hundred (500) square feet gross floor area.
	B. Over fifteen thousand (15,000) square feet. One (1) space per five hundred (500) square feet for the first fifteen thousand (15,000) square feet, one (1) space per eight hundred (800) square feet thereafter.
Grocery (food store)	One (1) space per three hundred (300) square feet gross floor area.
Office, business and professional services	One (1) space per three hundred (300) square feet gross floor area.
Personal services	One (1) space per two hundred fifty (250) square feet gross floor area.
Plant nurseries, building materials yards, equipment rental or sales yards and similar uses	One (1) parking space for each three hundred (300) square feet of sales and display area.

Regional shopping center (more than two hundred thousand (200,000) square feet)	One (1) space per two hundred (200) square feet gross floor area.
Restaurants	
In planned neighborhood center, planned community center or planned regional center	One (1) space per eighty (80) square feet indoor public floor area, and one (1) space per two hundred fifty (250) square feet outdoor public floor area, excluding the first two hundred fifty (250) square feet of outdoor public floor area.
In other districts	One (1) parking space for each fifty (50) square feet of public floor area, and one (1) space for each two hundred (200) square feet of outdoor public floor area, excluding the first two hundred (200) square feet of outdoor public floor area.
Restaurants with bars	The amount of restaurant area and bar area shall be determined according to the method provided in table 9.1, Section 9.103.C., calculating required parking for bar, and restaurant combinations.
In planned neighborhood center, planned community center, or planned regional center	A. Restaurant area. One (1) space per eighty (80) square feet of indoor public floor area.
	B. Bar area. One (1) space per fifty (50) square feet of indoor public floor area.
	C. Outdoor areas. One (1) space per two hundred fifty (250) square feet outdoor public floor area, excluding the first two hundred fifty (250) square feet of outdoor public floor area.
In other districts	A. Restaurant area. One (1) parking space for each fifty (50) square feet of public floor area.
	B. Bar area. One (1) space for each thirty-five (35) square feet indoor public floor area.
	C. Outdoor areas. One (1) space for each two hundred (200) square feet of outdoor public floor area, excluding the first two hundred (200) square feet of outdoor public floor area.
Educational uses	Parking Spaces Required
College/university	One (1) space per two (2) employees plus one (1) space per four (4) students, based on projected maximum enrollment.
Dance/music/business/vocational/trade schools	One (1) space per two hundred (200) square feet of classroom area.
Day nurseries or pre-schools	One (1) parking space for each employee; plus one (1) space for every fifteen (15) students, plus one (1) space for each company vehicle as per Section 9.103.G, additional requirements for company vehicles.
Elementary schools	One (1) parking space for each classroom plus one (1) parking space for each two hundred (200) square feet of floor area in office areas.
High schools	One (1) parking space for each employee plus one (1) space for every six (6)

	students, based on projected maximum enrollment.
Cultural/entertainment uses	Parking Spaces Required
Amusement parks	Three (3) spaces per hole for any miniature golf course, plus one (1) space per three thousand (3,000) square feet of outdoor active recreation space, plus any additional spaces required for ancillary uses such as but not limited to game centers and billiard halls.
Arts festivals, seasonal	One (1) space for each two hundred (200) square feet of indoor public floor area, other than public restaurant space. restaurant space at seasonal arts festivals shall be provided parking as otherwise required for restaurants in table 9.2.
Art galleries	One (1) space per four hundred (400) square feet indoor public floor area, one (1) space per two hundred twenty-five (225) square feet of office or work area, and one (1) space per eight hundred (800) square feet storage space.
Billiard halls	Two (2) spaces per billiard table.
Bowling alleys	Four (4) parking spaces for each lane, plus two (2) for any billiard table, plus one (1) space for each five (5) seats in any visitors gallery.
Club/lodge	One (1) space per two hundred fifty (250) square feet gross floor area.
Community or recreation buildings	One (1) parking space for each two hundred (200) square feet of floor area.
Cultural institutions and museums	One (1) space per three hundred (300) square feet gross floor area.
Dance halls, skating rinks, and similar recreational uses	One (1) parking space for each three hundred (300) square feet of floor space in the building.
Game centers	One (1) space per one hundred (100) square feet gross floor area.
Golf course	One (1) parking space for each two hundred (200) square feet of floor area in any main building plus one (1) space for every two (2) practice tees in the driving range, plus four (4) parking spaces for each green in the playing area.
Health or fitness studio	A. Less than ten thousand (10,000) square feet: one (1) space per one hundred fifty (150) square feet gross floor area.
	B. Ten thousand (10,000) to nineteen thousand nine hundred ninety-nine (19,999) square feet: one (1) space per two hundred (200) square feet gross floor area.
	C. Twenty thousand (20,000) to twenty-nine thousand nine hundred ninety-nine (29,999) square feet: one (1) space per two hundred fifty (250) square feet gross floor area.
	D. Thirty thousand (30,000) square feet and over: one (1) space per three hundred (300) square feet gross floor area.
Library	One (1) space per three hundred (300) square feet gross floor area.

Parks, public or private	Three (3) parking spaces for each acre of park area.
Stables, commercial	Adequate parking for daily activities shall be provided as determined by the City Manager or designee. Additional parking, improved as determined by the City Manager or designee, shall be provided for shows or other special events pursuant to Section 7.900, special events.
Swimming pool or natatorium	One (1) space per one thousand (1,000) square feet gross floor area.
Tennis clubs	One (1) parking space per each two hundred (200) square feet of gross floor area, excluding court area, plus three (3) parking spaces per each court. The applicant shall be responsible for reserving space for parking that may be required in order to obtain permission for tournaments, shows and other activities.
Theaters, cinemas, auditoriums, gymnasiums and similar places of public assembly	
In planned neighborhood center, planned community center or planned regional center	One (1) space per ten (10) seats.
In other districts	One (1) parking space per four (4) seats. The total requirement may be reduced by one (1) parking space for every four (4) guest rooms contained in an attached hotel.
Trailheads	
Gateway	Five hundred (500) to six hundred (600) spaces, including those for tour buses and horse trailers.
Major community	Two hundred (200) to three hundred (300) spaces, including those for horse trailers.
Minor community	Fifty (50) to one hundred (100) spaces.
Local	None required.
Western theme park	Total of all spaces required for the various uses of the theme park, may apply for a reduction in required parking per Section 9.104, programs and incentives to reduce parking requirements.
Technical uses	Parking Spaces Required
Internalized community storage	One (1) parking space for each two thousand five hundred (2,500) square feet of gross floor area.
Manufacturing and industrial uses	One (1) parking space for each five hundred (500) square feet of gross floor area.
Warehousing or wholesaling establishments	One (1) parking space for each eight hundred (800) square feet of gross floor area.

Warehouses, mini	One (1) space per three hundred (300) square feet of administrative office space plus one (1) space per each fifty (50) storage spaces.
Communication Uses	Parking Spaces Required
Radio/TV/studio	One (1) space per five hundred (500) square feet gross floor area, plus one (1) space per company vehicle, as per Section 9.103.G, additional requirements for company vehicles.
Transportation Uses	Parking Spaces Required
Transportation facilities, per Section 5.3054	Required parking shall be determined by the City Manager or designee per Section 9.103.D., calculating required parking for transportation facilities.

(Ord. No. 2736, § 1, 3-7-95; Ord. No. 3048, § 2, 10-7-97; Ord. No. 3225, § 1, 5-4-99)

Sec. 9.104. Programs and incentives to reduce parking requirements.

The following programs and incentives are provided to permit reduced parking requirements in the locations and situations outlined herein where the basic parking requirements of this ordinance would be excessive or detrimental to goals and policies of the city relating to mass transit and other alternative modes of transportation.

A. *Administration of parking reductions.* Programs and incentives which reduce parking requirements may be applied individually or jointly to properties and developments. Where reductions are allowed, the number of required parking spaces which are eliminated shall be accounted for both in total and by the individual program, incentive or credit which is applied. The record of such reductions shall be kept on the site plan within the project review file. Additionally, the reductions and manner in which they were applied shall be transmitted in writing to the property owner.

B. *Credit for on-street parking.* Wherever on-street angle parking is provided in the improvement of a street, credit toward on-site parking requirements shall be granted at the rate of one (1) on-site space per every twenty-five (25) feet of frontage, excluding the following:

1. Frontage on an arterial, major arterial or expressway as designated by the street classification plan.
2. Frontage on a street that is planned to be less than fifty-five (55) feet wide curb-to-curb.
3. Frontage within twenty (20) feet of a corner.
4. Frontage within ten (10) feet of each side of a driveway or alley.
5. Frontage within a fire hydrant zone or other emergency access zone.
6. Locations within the (D) Downtown zoning district.
7. Locations within the (DO) Downtown Overlay.

C. *Credit for bicycle parking facilities.*

1. *Purpose.* The City of Scottsdale, in keeping with the federal and Maricopa County Clean Air Acts, wishes to encourage the use of alternative transportation modes such as the bicycle instead of the private automobile. Reducing the number of vehicular parking spaces in favor of bicycle parking spaces helps to attain the standards of the Clean Air Act, to reduce impervious surfaces, and to save on land and development costs.

2. *Performance standards.* The City Manager or designee may authorize credit towards on-site parking requirements for all uses except residential uses, for the provision of bicycle facilities beyond those required by this ordinance, subject to the following guidelines:

a. Wherever bicycle parking is provided beyond the amount required per Section 9.103.B, required bicycle parking, credit toward required on-site vehicular parking may be granted pursuant to the following:

i. Downtown (D) zoning districts: one (1) vehicular space per eight (8) bicycle spaces.

ii. All other zoning districts: one (1) vehicular space per ten (10) bicycle spaces.

b. Wherever bicycle parking facilities exceed the minimum security level required per Section 9.103.B, required bicycle parking, credit towards required onsite vehicular parking may be granted at a rate of one (1) vehicular space per every four (4) high-security bicycle spaces.

High-security bicycle spaces shall include those which protect against the theft of the entire bicycle and of its components and accessories by enclosure through the use of bicycle lockers, check-in facilities, monitored parking areas, or other means which provide the above level of security as approved by the City Manager or designee.

c. Wherever shower and changing facilities for bicyclists are provided, credit towards required on-site vehicular parking may be granted at the rate of two (2) vehicular spaces per one (1) shower.

d. The number of vehicular spaces required per table 9.2 shall not be reduced by more than five (5) percent or ten (10) spaces, whichever is less.

D. *Credit for participation in a joint parking improvement project.* After the effective date of this ordinance, no new joint parking improvement projects shall be designated in the City of Scottsdale. Existing joint parking improvement projects may continue to exist, subject to the standards under which they were established.

The joint parking improvement project was a program through which a group of owners with mixed land uses including an area of more than three (3) blocks and at least six (6) separate ownerships could join together on a voluntary basis to form a parking improvement district, providing parking spaces equal to a minimum of thirty (30) percent of their combined requirements according to the ordinance under which they were established. Each participant property could have received credit for one and one-half (1 1/2) times his proportioned share of the parking spaces provided. The project required that a statement be filed with the superintendent of buildings stating the number of spaces assigned to each participating property. No adjustments were to be permitted subsequent to the filing of this statement.

E. *Mixed-use shared parking programs.*

1. *Purpose.* A mixed-use shared parking program is presented as an option to reduce the total required parking in large mixed-use facilities in which the uses operate at different times from one another throughout the day (mixed-use facilities are defined in article III, definitions). The city recognizes that strict

application of the required parking ratios may result in the provision of excessive numbers of parking spaces. This results in excessive pavement and impermeable surfaces and discourages the use of alternate transportation modes. A mixed-use shared parking program allows the property developer to use parking spaces more efficiently by allowing the same spaces to be "shared" by various land uses.

2. *Applicability.* The mixed-use shared parking program may be applied for where mixed-uses are proposed. The applicant may choose this option or may opt to prepare a parking master plan pursuant to 9.104.F, parking master plan.

3. *Procedure.*

a. When a parking plan is required as part of any site plan review or permitting procedure, a mixed-use shared parking program may be requested by the applicant at the same time.

b. The mixed-use shared parking program may also be requested exclusive of any other site plan review or permitting procedure.

c. Mixed use shared parking plans shall be reviewed by, and are subject to the approval of, the City Manager or designee.

d. Alternatively, the applicant may elect to have the shared parking plan reviewed by, and subject to the approval of, the City Council in a public hearing.

e. For changes of use in mixed-use projects (as defined in article III, definitions) the applicant must demonstrate that parking necessary for the new mix of uses does not exceed the amount which was required by the previous mix of uses.

4. *Limitations on mixed-use shared parking.* The total number of parking spaces required by table 9.2 shall not be reduced by more than twenty (20) percent.

5. *Performance standards.* The City Manager or designee may authorize a reduction in the total number of required parking spaces for two (2) or more uses jointly providing on-site parking subject to the following criteria:

a. The respective hours of operation of the uses do not overlap, as demonstrated by the application on table 9.3, schedule of shared parking calculations. If one or all of the land uses proposing to use joint parking facilities do not conform to one of the general land use classifications in table 9.3, schedule of shared parking calculations, the applicant shall submit sufficient data to indicate that there is not substantial conflict in the principal operating hours of the uses. Such data may include information from a professional publication such as those published by the institute of transportation engineers (ITE) or the urban land institute (ULI), or by a professionally prepared parking study.

b. A parking plan shall be submitted for approval which shall show the layout of proposed parking.

c. The property owners involved in the joint use of on-site parking facilities shall submit a written agreement approved by the city attorney requiring that the parking spaces shall be maintained as long as the uses requiring parking exist or unless the required parking is provided elsewhere in accordance with the provisions of this article. Such written agreement shall be recorded by the property owner with the Maricopa County Recorder's Office prior to the issuance of a building permit, and a copy filed in the project review file.

Table 9.3. Schedule of Shared Parking Calculations

TABLE INSET:

General Land Use Classification	Weekdays			Weekends		
	Mid.-- 7:00 a.m.	7:00 a.m.--6:00 p.m.	6:00 p.m.--Mid.	Mid.-- 7:00 a.m.	7:00 a.m.--6:00 p.m.	6:00 p.m.--Mid.
Office and industrial	5%	100%	5%	0%	60%	10%
Retail	0%	100%	80%	0%	100%	60%
Residential	100%	55%	85%	100%	65%	75%
Restaurant	50%	70%	100%	45%	70%	100%
Hotel	100%	65%	90%	100%	65%	80%
Cinema/theater	0%	70%	100%	5%	70%	100%
<p><i>How to use the schedule of shared parking.</i> Calculate the number of spaces required for each use if it were free-standing (refer to the schedule of minimum on-site parking requirements). Applying the applicable general land use category to each proposed use, use the percentages to calculate the number of spaces required for each time period, (six (6) time periods per use). Add the number of spaces required for all applicable land uses to obtain a total parking requirement for each time period. Select the time period with the highest total parking requirement and use that total as your shared parking requirement.</p>						

F. *Parking master plan.*

1. *Purpose.* A parking master plan is presented as an option to promote the safe and efficient design of parking facilities for sites larger than two (2) acres or those downtown district/retail specialty uses larger than sixty thousand (60,000) square feet. The city recognizes that strict application of the required parking standards or ratios may result in the provision of parking facilities of excessive size or numbers of parking spaces. This results in excessive pavement and impermeable surfaces and may discourage the use of alternate transportation modes. A parking master plan allows the property developer to establish a more efficient parking scheme through the following requirements.
2. *Applicability.* The parking master plan is appropriate to alleviate problems of reuse and is also applicable as an alternative to the above mixed-use shared parking programs.
3. *Procedure.*
 - a. When a parking plan is required as part of any site plan review or permitting procedure, the parking master plan may be requested by the applicant at the same time.
 - b. The parking master plan may also be requested exclusive of any other site plan review or permitting procedure.
 - c. Parking master plans shall be reviewed by, and are subject to the approval of, the City Manager or designee.
 - d. For changes of use in mixed-use projects (as defined in article III,

definitions) the applicant must demonstrate that parking necessary for the new mix of uses does not exceed the amount which was required by the previous mix of uses.

4. *Limitations on parking master plans.* The City Manager or designee shall only permit reductions of up to twenty (20) percent of the total parking required per table 9.2. Reductions of more than twenty (20) percent of required parking shall be subject to approval by the City Council.

5. *Elements of a parking master plan.* The parking master plan shall contain the following:

- a. A plan, which graphically depicts where the spaces and parking structures are to be located.
- b. A report, which demonstrates how everything shown on the plan complies with or varies from applicable standards and procedures of the city.
- c. The plan shall show all entrances and exits for any structured parking and the relationship between parking lots or structures and the circulation master plan.
- d. The plan, supported by the report, shall show the use, number, location, and typical dimensions of parking for various vehicle types including passenger vehicles, trucks, vehicles for mobility impaired persons, buses, other transit vehicles and bicycles.
- e. The plan, supported by the report, shall include phasing plans for the construction of parking facilities and any interim facilities planned.
- f. Whenever the applicant requests any reductions in the number of required parking spaces as provided for in this ordinance, the required report shall be prepared by a registered civil engineer licensed to practice in the State of Arizona and shall document how any reductions were calculated and upon what assumptions such calculations were based.
- g. Parking ratios used within the report shall be based upon uses or categories of uses already listed within table 9.2, schedule of parking requirements. If the use is not listed in table 9.2, then the applicant may request an ordinance amendment to table 9.2 rather than a variance from its standards.
- h. Such other information as is determined by the reviewing authority to be necessary to process the parking master plan.

6. *Performance standards.* Parking shall comply with the requirements of the zoning ordinance as amended except where application of the following criteria can show that a modification of the standards is warranted. This shall be determined by the City Manager or designee pending his or her review of the materials described in subsection 5. above.

- a. The parking master plan shall provide sufficient number and types of spaces to serve the uses identified on the site.
- b. Adequate provisions shall be made for the safety of all parking facility users, including motorists, bicyclists and pedestrians.
- c. Parking master plans shall be designed to minimize or alleviate traffic problems.
- d. Parking spaces shall be located near the uses they are intended to serve.
- e. Adequate on-site parking shall be provided during each phase of

development of the district.

f. The plan shall provide opportunities for shared parking or for other reductions in trip generation through the adoption of transportation demand management (TDM) techniques to reduce trip generation, such as car pools, van pools, bicycles, employer transit subsidies, compressed work hours, and high occupancy vehicle (HOV) parking preference.

g. Surfacing of the lot shall be dust-proof, as provided by Section 9.106.C.1.a.2.

h. The parking master plan shall attempt to reduce environmental problems and to further the city's compliance with the federal Clean Air Act amendments of 1990 through appropriate site planning techniques, such as but not limited to reduced impervious surfaces and pedestrian connections.

i. Compliance with the federal Clean Air Act amendments of 1990 shall be considered.

j. Reductions in the number of parking spaces should be related to significant factors such as, but not limited to:

- (1) Shared parking opportunities;
- (2) Hours of operation;
- (3) The availability and incorporation of transit services and facilities;
- (4) Opportunities for reduced trip generation. Through pedestrian circulation between mixed-uses (as defined in article III, definitions);
- (5) Off-site traffic mitigation measures;
- (6) Recognized variations in standards due to the scale of the facilities;
- (7) Parking demand for a specified use; and
- (8) The provisions of accessible parking spaces beyond those required per Section 9.105.

k. Reductions in the number of parking spaces for neighborhood-oriented uses may be granted at a rate of one (1) space for every existing or planned residential unit located within two (2) blocks of the proposed use, and one-half (0.5) space for every existing or planned residential unit located within four (4) blocks of the proposed use.

7. *Approval.* The property owner involved in the parking master plan shall submit a written agreement approved by the city attorney requiring that the parking facility and any associated transportation demand management (TDM) techniques shall be maintained without alteration unless such alteration is authorized by the City Manager or designee. Such written agreement shall be recorded by the property owner with the Maricopa County Recorder's Office prior to the issuance of a building permit, and a copy filed in the project review file.

G. *Valet parking.* Reserved.

H. *(DO) Downtown Overlay District Program.*

1. *Purpose.* This parking program will ease the process of calculating parking supply for new buildings, remodels, or for buildings with new tenants or new building area.

This parking program consists of two (2) elements: Parking required and parking

waiver.

2. *The amount of parking required shall be:*

- a. If there is no change of intensity of use on any lot that has a legal use existing at the date of this ordinance adoption, no additional parking shall be required.
- b. Parking credits.
 - i. Parking credits under this program shall be only for permanent on-site parking, parking improvement districts, or permanent parking in-lieu credits. Only these parking credits shall carry forward with any lot that has parking credits at the time of this ordinance adoption.
 - ii. This (DO) downtown ordinance does not void public agreements for parking payments of any type of parking program that was established prior to the effective date of this ordinance.
 - iii. Any parking improvement district or permanent parking in-lieu credits that the lot has that are in excess of the current parking demand shall remain with the lot.
 - iv. Property owners are still required to pay for any public or private program that allowed them to meet the parking requirements.
 - v. Properties with P-3 Parking district zoning shall have the option of using this method of calculating parking credits, or to use the credits provided by the P-3 Parking district.
- c. Parking for increase in intensity in use not otherwise allowed or for additional floor area shall provide parking in conformance with this (DO) downtown overlay district program parking credits and waiver, and the parking provisions in section 6.1208 and Article IX.

3. *Parking waiver within the (DO) downtown overlay district.*

- a. Purpose. This parking waiver is designed to act as an incentive for the new buildings, remodels, or for buildings with new tenants, and for building area expansion of smaller downtown businesses, whose expansion will have a minimal impact on parking demand.
- b. Applicability. Upon application, property owners may have parking requirements waived if they meet the following criteria:
 - i. Are within the (DO) Downtown Overlay district.
 - ii. Are used for retail, office or personal services uses allowed in the underlying district.
- c. Limitations on this parking waiver.
 - i. Can be used only once per individual lot existing at the effective date of this ordinance.
 - ii. Can only be used on first and second floors.
 - iii. Can be used for retail, office or personal services uses allowed in the underlying district.
 - iv. Is limited to a maximum of two thousand (2,000) square feet of new building, or building area expansion size.
 - v. Cannot be used on land that was used for parking in the past two years unless the same number of physical parking spaces are

replaced elsewhere.

- d. **Residential addition parking waiver.** This parking waiver is designed to act as an incentive for the integration of one or more residential units as part of a business expansion of a maximum of two thousand (2,000) total square feet. One parking space will be required per residential unit, this parking can be reallocated from on site existing parking corresponding to other uses.

(Ord. No. 2736, § 1, 3-7-95; Ord. No. 3520, § 1, 7-1-03; Ord. No. 3543, § 1(Exh. 1), 12-9-03)

Sec. 9.105. Mobility impaired accessible spaces.

The City of Scottsdale encourages all development within the city which serves the public to provide adequate facilities for accessibility to people with mobility impairments as defined by this ordinance and the Americans With Disabilities Act (ADA) of 1990. In accordance with this goal and pursuant to the ADA, accessible parking shall be provided by any building or use initiated after the effective date of this ordinance according to the following minimum requirements and any further requirements hereafter adopted by federal, state, or local law. Should any part or provision of this Section 9.105 of the Scottsdale Parking Ordinance by error or omission be determined unenforceable, the federal standards as defined by the ADA and section 504 of the Housing Rehabilitation Act of 1973 shall apply.

A. *Required spaces.* Required mobility impaired accessible parking spaces shall be provided at a rate of four (4) percent of total required vehicular parking spaces. Van accessible parking spaces shall be provided in the amount set forth by table 9.4. In addition to these requirements, accessible patient parking at outpatient facilities must equal no less than ten (10) percent of the required parking, and facilities which specialize in treatment or services for persons with mobility improvements must provide accessible parking equaling no less than twenty (20) percent of the required parking for patient use.

B. *Reductions in accessible space requirements for large uses.* Reductions in accessible parking space requirements for large uses may be permitted subject to the approval of the City Manager or designee. In requesting such a reduction, applicants shall provide evidence that the demand for disabled parking on the site is less than four (4) percent of the total number of required vehicular parking spaces. In granting such a reduction, the City Manager or designee shall consider factors including, but not limited to, the following:

1. Uses requesting a reduction shall require over three hundred (300) vehicular parking spaces;
2. Uses requesting a reduction shall be characterized by a low volume of direct daily customer or visitor contact.
3. Uses requesting a reduction shall be limited to major employment uses and shall not include any public facilities or other uses normally frequented by visitors.

Mobility impaired accessible parking spaces shall be provided at a rate no less than two (2) percent of required vehicular parking spaces.

The required number of mobility impaired accessible parking spaces shall be calculated prior to any applied reduction in parking requirements otherwise approved by the City Manager or designee or provided pursuant to this ordinance.

C. *Location of accessible spaces.* Each accessible or van accessible parking space shall be located along an accessible route to the building entrance. The minimum width of said accessible route shall be no less than three (3) feet.

D. *Access aisles.* All parking lots shall provide access aisles for the mobility impaired

in locations that are in accordance with ADA requirements. Such access aisles shall be no less than five (5) feet in width when adjacent to one (1) accessible parking space and no less than eight (8) feet in width when adjacent to van accessible parking spaces. At the entrance to each access aisle which is eight (8) feet or wider, two (2) bollards shall be placed at the outside corners of the aisle so as to prevent vehicles from parking in the aisle illegally. Access aisles may not be obstructed by any curb ramp or wheel stops.

E. *Size of accessible spaces.* Accessible parking spaces shall be a size no less than that required per Section 9.106.A, parking space dimensions. Small car spaces shall not be designated for mobility impaired persons.

F. *Maximum slope.* Accessible parking spaces and access aisles shall not exceed a slope of 1:50, and the ramp from the access aisle to the sidewalk or other transition to the principal use shall not exceed a slope of 1:12.

G. *Vertical clearance.* The vertical clearance for accessible parking spaces shall be no less than eight (8) feet two (2) inches, and the vertical clearance for passenger loading zones shall be no less than nine (9) feet six (6) inches.

H. *Passenger loading zones.* Passenger loading zones shall provide an access aisle a minimum of twenty (20) feet in length, adjacent and parallel to the vehicle pull up space. If there are curbs between the access aisle and the vehicle pull up space, then a curb ramp shall be provided.

I. *Signage and marking.* All accessible spaces shall be designated by the international access symbol. Van accessible spaces will be labeled by both the international access symbol and an additional sign indicating that the space is accessible for vans.

Signs shall be placed a minimum of five and one-half (5.5) feet above ground level so as not to be obscured by parked vehicles. The mobility impaired symbol shall also be painted on the ground to the rear of the parking space.

Table 9.4. Van Accessible Parking Space Requirements

TABLE INSET:

Accessible Spaces Required	Van Accessible Spaces Required
1 to 8	1
9 to 16	2
17 to 24	3
25 to 32	4
33 and over	1 van accessible space for every 8 accessible spaces

insert figure 9.2

(Ord. No. 2736, § 1, 3-7-95)

Sec. 9.106. Design standards for public and private on-site parking areas.

A. *Parking space dimension.*

1. *Vehicular.*

a. Except for parallel parking spaces, parking spaces shall have a minimum width of nine (9) feet and a minimum length of eighteen (18) feet. Parallel parking spaces shall have a minimum width of nine (9) feet and a minimum length of twenty-one (21) feet.

b. The front length of the space may be in a curb or low planter of a maximum height of six (6) inches and a maximum depth of two (2) feet which may not be calculated as required open space as required in Section 9.106.E, landscaping and urban design, of this article unless the following conditions are met:

(1) Where the front of a parking stall overhangs a curb or planter on one (1) side only, the minimum width of the planter shall be three and one-half (3 1/2) feet.

(2) Where the front of a parking stall overhangs a curb or planter on both sides, the minimum width of the planter shall be seven (7) feet.

c. If special circumstances exist, such as a limited lot size, the above requirements may be waived at the discretion of the Development Review Board.

2. *Bicycle.* Bicycle parking spaces shall have a minimum width of two (2) feet and a minimum length of six (6) feet, unless the spaces are provided by a pre-manufactured bicycle rack or locker which differ from this dimension, in which case the dimension of the pre-manufactured rack or locker shall suffice.

add figure 9.3

B. *Parking layout.* Minimum layout dimensions are established in table 9.5 which shall apply to all off-street parking areas with the exception that parking spaces accessed by an alley shall require a minimum of twelve (12) feet from the back of the space to the alley centerline.

GRAPHIC LINK (not available):

TABLE INSET:

Angle	Stall Width (A)	Vehicle Projection (B)	Aisle (C)*	Typical Module (D)	Interlock Reduction (E)	Overhang (F)	Curb Length (G)	End of Row Waste (H)
0°	18.0	9.0	12.0	40.0	0	0	21.0	--
45°	9.0	19.1	12.0	50.2	6.4	1.4	12.7	19.1
50°	9.0	19.6	14.5	53.7	5.8	1.5	11.7	16.4
55°	9.0	19.9	16.0	55.8	5.2	1.6	11.0	13.9
60°	9.0	20.1	18.0	58.2	4.5	1.7	10.4	11.6
65°	9.0	20.1	20.0	60.2	3.8	1.8	9.9	9.4
70°	9.0	20.0	22.0	62.0	3.1	1.9	9.6	7.3
75°	9.0	19.7	24.0	63.4	2.3	1.9	9.3	5.3

90°	9.0	18.0	24.0	60.0	0	2.0	9.0	0
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* No two-way aisle shall be less than 24' in width.

NOTE: All measurements are in feet.

C. *Design and improvement standards.*

1. *Vehicular.* The following standards shall apply to all uses except residential uses permitted in R1-43, R1-35, R1-18, R1-10, R1-7, R1-5, R2, R-3 and R-4.

a. All public parking areas shall be improved and maintained to the standards of the public works department with regard to:

(1) Grading and drainage.

(2) Surfacing with concrete, brick or suitable asphaltic surfacing to prevent emanation of dust. Surfacing with dust-proof crushed granite or some other suitable material may also be permitted subject to the approval of the City Manager or designee through Section 9.104 F, the parking master plan process. For sites two (2) acres or less, approval for surfacing with dust-proof crushed granite or other suitable material is subject to approval of the development review board on use site and design considerations.

(3) Parking stall layout and markings.

(4) Protective pipes at driveway entrances.

(5) Curbs, barriers and wheel stops. This requirement shall not apply within the taxilane safety area as defined in Chapter 5 of the Scottsdale Revised Code.

(6) Directional signs.

b. The parking lot shall be designed so that vehicles exiting therefrom will not be required to back out across any sidewalk or street.

c. All required on-site parking spaces shall open directly upon an aisle or driveway. All on-site parking facilities shall be provided with appropriate means of vehicular access to a public street.

d. All parking lots shall be illuminated in accordance with Section 7.600, outdoor lighting, or as determined by the Development Review Board.

e. Illumination of an on-site parking area shall be arranged so as not to reflect direct rays of light into adjacent residential districts and streets. In no case shall such lighting cause more than one (1) footcandle of light to fall on adjacent properties as measured horizontally at the lot line. Shields shall be used where necessary to prevent exposure of adjacent properties.

f. Any wall, fence or landscaping provided shall be adequately protected from damage by vehicles using the parking lot and shall be properly maintained and kept in good repair at all times.

2. *Bicycle.*

a. The type of bicycle parking facility provided shall be determined according to the requirements of Section 9.103.B, required bicycle parking, and 9.104.C, credit for bicycle parking facilities.

b. Bicycle facilities shall be located on the same site as the generating land use and within fifty (50) feet of the building entrance in a location which does not extend into pedestrian sidewalks or vehicular traffic lanes.

c. Lighting shall be provided along the access route from the bicycle facility to

the building if the route is not completely visible from lighting on the adjacent sidewalks or vehicular parking facilities. Such lighting shall be provided in accordance with Section 7.600, outdoor lighting, or as determined by the Development Review Board.

D. *Driveway parking prohibited except in residential districts.* Except in residential districts, parking in driveways connecting the public right-of-way with a parking area or garage shall not be permitted on or adjacent to the driveway.

E. *Landscaping and urban design.*

1. Landscaping plan required. Landscape plans shall be submitted for review by the Development Review Board and shall be approved upon the finding that landscaping plans are adequate to properly screen parking areas from neighboring properties so as to reduce nuisances from lights and noise.

2. Method of screening parking areas. Screening of parking areas shall be by decorative wall, earth berm, landscaping, solid screen or a depressed parking area as determined by the Development Review Board.

3. Minimum screening requirements. There shall be a minimum landscaped area of four (4) feet in depth between any parking lot area and any street frontage. All parking lot areas shall be screened from all streets by a three (3) foot high masonry wall and/or landscaping.

4. Minimum landscaped area. Except as otherwise provided in this ordinance, a minimum of fifteen (15) percent of all parking lot areas shall be landscaped as determined by development review. This requirement is exclusive of any open space requirement that may appear elsewhere in this ordinance. This requirement shall not apply within the taxilane safety area, as defined in Chapter 5 of the Scottsdale Revised Code.

5. Landscape islands. One-third (1/3) of the required landscaped area for a parking lot for more than twenty (20) cars shall be in planting areas distributed throughout the lot rather than on the perimeter. Planting areas shall have a minimum width of seven (7) feet and a minimum area of one hundred twenty (120) square feet and shall be planted, irrigated, and maintained as prescribed in article X, maintenance of required planting areas.

a. In the downtown area, such landscape island shall be required between every ten (10) parking spaces.

b. In all other districts, such landscape island shall be required between every fifteen (15) parking spaces.

6. No covered parking shall be permitted in the required building setback area.

7. Parking structures fronting on a public street shall include pedestrian-related amenities such as sitting areas, planters, and visually-interesting wall surfaces at the street level along the street frontage. Such amenities may be evaluated by the Development Review Board as a part of any other permitting or site plan review procedure.

8. The architectural character of above grade parking structures shall be compatible with the surrounding area, and consistent in design with the project within which they are contained.

(Ord. No. 2736, § 1, 3-7-95; Ord. No. 2887, § 1, 3-19-96; Ord. No. 2977, § 1, 12-17-96; Ord. No. 3225, § 1, 5-4-99; Ord. No. 3274, § 2, 12-7-99)

Sec. 9.107. Locating required parking relative to the use served.

A. *General requirement.* Parking shall be located with regard to vehicular and pedestrian

access, number of spaces, surrounding uses, traffic congestion, and pedestrian facilities. Parking location shall be subject to Development Review Board approval.

B. *Ownership of required parking.* Except when dedicated, provided by participation in a joint parking project, or provided by a parking improvement district, property used for required parking shall be under the same ownership as the generating use. Proof of ownership shall be demonstrated prior to the issuance of a building permit by one (1) of the following:

1. *Same ownership:* A legal instrument satisfactory to the city attorney shall be recorded requiring maintenance of the required number of spaces on the site.
2. *Leasehold:* The minimum lease term shall be five (5) years. A legal instrument satisfactory to the city attorney, with the city as third party signator, shall be recorded requiring cessation of a use served if access to the leased parking is terminated without substitution of parking meeting the requirements of this ordinance.

C. *Regulations for remote parking.* Remote parking under the same ownership as its generating use may be permitted subject to the approval of the City Manager or designee. In permitting remote parking, the City Manager or designee may consider factors including, but not limited to, the following:

1. The proximity of generating use to the remote parking shall be within six hundred (600) feet.
2. The presence of a continuous sidewalk or path system serving the area;
3. The siting and orientation of the generating use to the sidewalk or path;
4. Connections between the remote parking area and generating use via sidewalk, covered walkway, or street crossing;

In addition, the owner shall record restrictive covenants running with the land on both the generating use and parking properties, with the city as a third party signator, giving notice that the generating use cannot continue if the parking use is discontinued. The form of said covenants shall be approved by the city attorney.

D. *Carpool, vanpool, and other high occupancy vehicles (HOVS).* Parking designated for carpools, vanpools, and other high occupancy vehicles shall be located with priority over all other vehicular parking except for mobility impaired accessible parking.

E. *Location of parking in a pedestrian overlay district.* In type 1 areas of the pedestrian overlay district, as identified by this ordinance and the zoning map, all parking shall be accessed from an alley or side street. There shall be no curb cuts on pedestrian streets.

(Ord. No. 2736, § 1, 3-7-95)

Sec. 9.108. Special parking requirements in districts.

A. *Planned regional center.* The provisions of article IX shall apply with the following exceptions:

1. There shall be no parking required for courtyards or other open spaces, except that those portions thereof used for sales or service activities shall provide parking as specified elsewhere by this ordinance.
2. Parking for dwellings shall be covered.

B. *Western theme park district.* The provisions of article IX shall apply with the following exceptions:

1. The number of spaces required in table 9.2 may be proportionately reduced by the provision of bus parking. Bus parking provided in lieu of automobile parking spaces may account for a maximum reduction of fifty (50) percent of the spaces required in table 9.2.
2. If any bus parking is provided in lieu of automobile parking spaces, one (1) overflow

automobile parking space shall be provided for each twenty-five (25) persons for whom seating is provided as indicated on the approved development plan.

C. *Downtown Overlay (DO) district (parking in-lieu only) and Downtown (D) districts.*

1. *Parking requirements.* Parking capacity shall satisfy the requirements of the land uses served, and can be provided by any of the following options: on-site parking, remote parking, parking in-lieu payments, or evening-use parking credits, these standards shall not be subject to variances.

2. *Parking in-lieu payments.* A parking requirement for nonresidential uses may be met by a parking in-lieu payment to the downtown parking fund and shall be used for the operation of a downtown parking program which may include, but is not linked to, the provision and maintenance of public parking spaces, the operation of tram shuttle services linking public parking facilities and downtown activity centers, and services related to the management and regulations of public parking. The city shall not be obligated to provide more than twenty (20) such spaces without the express approval of the City Council. Fractional parking requirements may be paid for on a pro rata basis. The amount of the in-lieu fee shall be established by the City Council, and may include penalties for late payment. Parking in-lieu credits may be purchased either as permanent parking credits, or as impermanent parking credits in accordance with the following:

a. *Permanent parking in-lieu credits:* parking space credits purchased under this permanent in-lieu option shall be permanently credited to the property. These parking credits may be purchased either by installment payments to the city over a fixed period of time, or by payment of a lump sum fee.

Under the lump sum purchase option, purchase shall be made by payment the total fee in the manner described herein. The installment purchase option shall require an initial cash deposit and a written agreement binding the applicant to make subsequent monthly installment payments. The installment purchase agreement shall not create a payment term longer than fifteen (15) years, and shall include payment procedures adopted by the planning and community development department. Payment of the lump sum in-lieu fee or payment of the installment purchase deposit and execution by both parties of the installment purchase agreement, shall be completed prior to the issuance of a building permit of one is required, or to the issuance of a certificate of occupancy.

b. *Monthly parking in-lieu credits:* Parking credits obtained by payment of a monthly in-lieu fee under this option are only for the term of the activity requiring the parking and are not permanently credited to the property. Properties must first possess a minimum of four and one-half (4 1/2) parking spaces per one thousand (1,000) square feet of net floor area of building, and may thereafter subscribe for additional required parking spaces by paying the monthly in-lieu fee. Payments shall be made in accordance with a written agreement and procedures adopted by the planning and community development department. The first monthly payment shall be made prior to issuance of a certificate of occupancy for the business for whose benefit the monthly payments are made.

3. *FAR bonus for underground and on-site structure parking.* A maximum FAR bonus of three-tenths (0.3) is available subject to the following:

a. In a type 1 area, eighty (80) percent of the required parking is in a shared structure parking.

b. In a type 2 area, ninety (90) percent of the required parking is underground.

Where shared structure parking is underground parking provided by a project is less than stipulated above, the FAR bonus shall be adjusted downward on a pro rata basis.

Parking in-lieu payments may be utilized to satisfy shared structure parking or underground parking incentives on a space per space basis.

4. *Evening-use parking.* Establishments conducting business between the hours of

5:00 p.m. and 3:00 a.m. qualify for evening-use parking credits for parking spaces identified to be vacant during those hours, subject to the following requirements:

- a. Application for evening use parking credits shall be through the use permit process and shall be made by the property owner on behalf of the establishment requiring the parking credits.
- b. Before qualifying for evening use parking credits, a property must possess a minimum of four and one-half (4 1/2) parking spaces per one thousand (1,000) square feet of net building area, on-site or by one (1) of the means provided for in paragraph c.(3) below.
- c. Evening-use parking credits may be granted for spaces provided from one (1) or more of the following sources:
 - (i) Same-site: Parking spaces on the same property which are unutilized during the designated evening hours.
 - (ii) Adjacent or nearby site: Unutilized parking spaces on adjacent or near-by properties which meet the requirements of this Section and 9.107.C. and D.
 - (iii) Public on-street and on-site spaces: After exhausting available "same-site" evening-use parking credits, additional credits may be sought using unutilized public on-street and on-site parking spaces, subject to the following requirements:
 - (1) The use permit application shall be accompanied by an analysis, acceptable to the City Manager or his designee, establishing the availability and location of the unutilized public parking spaces for which evening-use parking credits are being sought.
 - (2) The maximum number of evening-use parking credits is limited to twenty (20) parking spaces or to fifty (50) percent of the "base minimum" parking requirement ascribed to the property, whichever is less, for which a monthly fee established by City Council will be charged and deposited in a downtown parking fund.
- d. The application shall provide a plan acceptable to the City Manager or his designee for the security and maintenance of the parking areas and their environs in a neat and orderly condition, and shall demonstrate that the areas meet the lighting requirements of Section 7.600.

(Ord. No. 2736, § 1, 3-7-95; Ord. No. 3225, § 1, 5-4-99; Ord. No. 3520, § 1, 7-1-03; Ord. No. 3543, § 1 (Exh. 1), 12-9-03)

Sec. 9.200. OFF-STREET LOADING.

Sec. 9.201. General regulations.

All buildings hereafter erected or established shall have and maintain loading space(s) as determined by Development Review [Board] approval as outlined in article I, section 1.900 hereof and subject to conditions herein.

- A. No part of an alley or street shall be used for loading excepting areas designated by the city.
- B. No loading space that is provided in an approved development review shall hereafter be eliminated, reduced or converted, unless equivalent facilities are provided

elsewhere.

C. All loading space shall be surfaced and maintained subject to the standards of the public works department.

(Ord. No. 3225, § 1, 5-4-99)